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Attorneys for Plaintiff  
OWEN DIAZ

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

DEMETRIC DI-AZ, OWEN DIAZ, and  
LAMAR PATTERSON,

Plaintiffs,

v.

TESLA, INC. dba TESLA MOTORS, INC.;  
CITISTAFF SOLUTIONS, INC.; WEST  
VALLEY STAFFING GROUP;  
CHARTWELL STAFFING SERVICES, INC.;  
and DOES 1-50, inclusive,

Defendants.

Case No. 3:17-cv-06748-WHO

**DECLARATION OF CIMONE NUNLEY  
IN SUPPORT OF PLAINTIFF'S  
OPPOSITON TO DEFENDANT'S  
MOTIONS *IN LIMINE* NOS. 1-4**

Date: May 11, 2020

Time: 10:00 a.m.

Courtroom: 2, 17th Floor

Judge: Hon. William H. Orrick

Trial Date: June 8, 2020

Complaint filed: October 16, 2017

1 I, CIMONE A. NUNLEY, hereby declare:

2 1. I am an attorney licensed to practice law in the State of California. I am an  
3 attorney with the law firm of California Civil Rights Law Group, attorneys of record for Plaintiff  
4 Owen Diaz in this action. I submit this Declaration in support of Plaintiff's Opposition to  
5 Defendant's Motions *in Limine* Nos. 1-4. I have personal knowledge of the facts stated herein  
6 and if called upon to testify, I could and would competently testify thereto, except as to those  
7 matters that are stated upon information and belief.  
8

9 2. Attached hereto and marked as Exhibit 1 is a true and correct copy of various  
10 excerpts from Volume I of the Deposition of Owen Diaz.  
11

12 3. Attached hereto and marked as Exhibit 2 is a true and correct copy of various  
13 excerpts from the deposition of Ed Romero.

14 4. Attached hereto and marked as Exhibit 3 is a true and correct copy of various  
15 excerpts from Volume II of the Deposition of Owen Diaz.  
16

17 5. Attached hereto and marked as Exhibit 4 is a true and correct copy of various  
18 excerpts from Volume III of the Deposition of Owen Diaz.

19 6. Attached hereto and marked as Exhibit 5 is a true and correct copy of various  
20 excerpts from Volume I of the deposition of Demetric Di-az.

21 7. Attached hereto and marked as Exhibit 6 is a true and correct copy of a document  
22 produced by Defendant in this matter, Bates-stamped TESLA-0000004 to TESLA-0000008.  
23

24 8. Attached hereto and marked as Exhibit 7 is a true and correct copy of a document  
25 produced by Defendant in this matter, Bates-stamped TESLA-0000060.

26 9. Attached hereto and marked as Exhibit 8 is a true and correct copy of various  
27 excerpts from the deposition of Annalisa Heisen.  
28

1           10. Attached hereto and marked as Exhibit 9 is a true and correct copy of various  
2 excerpts from the transcript of the arbitration in the *Dewitt Lambert v. Tesla, Inc. dba Tesla*  
3 *Motors, Inc., et al.* matter, dated March 15, 2019.

4           11. Attached hereto and marked as Exhibit 10 is a true and correct copy of Plaintiffs  
5 Demetric Di-az and Owen Diaz's Supplemental Initial Disclosures Pursuant to General Order  
6 No. 71 in this matter.

7           12. Attached hereto and marked as Exhibit 11 is a true and correct copy of a  
8 Certificate of Service for Plaintiffs Demetric Di-az and Owen Diaz's Supplemental Initial  
9 Disclosures Pursuant to General Order No. 71 dated March 11, 2019.

10           13. Attached hereto and marked as Exhibit 12 is a true and correct copy of Plaintiffs  
11 Demetric Di-az and Owen Diaz's Supplemental Initial Disclosures Pursuant to General Order  
12 No. 71 in this matter.

13           14. Attached hereto and marked as Exhibit 13 is a true and correct copy of a  
14 Certificate of Service for Plaintiffs Demetric Di-az and Owen Diaz's Supplemental Initial  
15 Disclosures Pursuant to General Order No. 71 dated October 16, 2019.

16           15. Attached hereto and marked as Exhibit 14 is a true and correct copy of a  
17 document produced by former defendant West Valley Staffing Group in this matter and Bates-  
18 stamped WV000397.

19           16. Attached hereto and marked as Exhibit 15 is a true and correct copy of a Proof of  
20 Service for Documents produced by West Valley Staffing Group—Bates Nos. WV000355-  
21 WV000537 (CONFIDENTIAL).

22           17. Attached hereto and marked as Exhibit 16 is a true and correct copy of the  
23 complaint in the *Dewitt Lambert v. Tesla, Inc. dba Tesla Motors, Inc., et al.* matter, Case No.  
24 RG17854515, filed on March 27, 2017.

1           18.     Attached hereto and marked as Exhibit 17 is a true and correct copy of a  
2 document produced by former defendant West Valley Staffing Group in this matter and Bates-  
3 stamped WV000397.

4           19.     Attached hereto and marked as Exhibit 18 is a true and correct copy of a  
5 document produced by former defendant West Valley Staffing Group in this matter and Bates-  
6 stamped WV000380 through WV000386.

7           20.     Attached hereto and marked as Exhibit 19 is a true and correct copy of various  
8 excerpts from the deposition of Rovilla Wetle.

9           21.     Attached hereto and marked as Exhibit 20 is a true and correct copy of a  
10 document produced by Defendant in this matter and Bates-stamped TESLA0000916 through  
11 TESLA0000918.

12           22.     Attached hereto and marked as Exhibit 21 is a true and correct copy of various  
13 excerpts from the deposition of Erin Marconi.

14           23.     Attached hereto and marked as Exhibit 22 is a true and correct copy of a  
15 Certificate of Service for Defendant Tesla, Inc.'s document production Bates range-stamped  
16 TESLA-0000905 through TESLA0001013.

17           24.     Attached hereto and marked as Exhibit 23 is a true and correct copy of a  
18 document produced by Defendant in this matter and Bates-stamped TESLA-0001003 through  
19 TESLA-0001005.

20           25.     Attached hereto and marked as Exhibit 24 is a true and correct copy of Exhibit  
21 194 to the Deposition of Andres Donet.

22           26.     Attached hereto and marked as Exhibit 25 is a copy of a document produced to  
23 Defendant in the matter of *Marcus Vaughn, et al. v. Tesla, Inc. dba Tesla Motors, Inc., et al*,  
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1 Case No. RG17882082, (related California state-court litigation) and Bates-stamped  
2 VAUGHN000080 through VAUGHN000083.

3 27. Attached hereto and marked as Exhibit 26 is a true and correct copy of a proof of  
4 service in the matter of *Marcus Vaughn, et al. v. Tesla, Inc. dba Tesla Motors, Inc., et al*, Case  
5 No. RG17882082, for PLAINTIFFS' OBJECTIONS AND RESPONSES TO DEFENDANT'S  
6 REQUEST FOR PRODUCTION – SET ONE; PLAINTIFF'S OBJECTIONS AND  
7 RESPONSES TO DEFENDANT'S FORM INTERROGATORIES – GENERAL; PLAINTIFF'S  
8 OBJECTIONS AND RESPONSES TO DEFENDANT'S SPECIAL INTERROGATORIES –  
9 SET ONE; PLAINTIFFS' OBJECTIONS AND RESPONSES TO DEFENDANT'S FORM  
10 INTERROGATORIES – EMPLOYMENT; PLAINTIFF'S OBJECTIONS AND RESPONSES  
11 TO DEFENDANT'S REQUEST FOR ADMISSION – SET ONE; and CD CONTAINING  
12 PLAINTIFF'S DOCUMENT PRODUCTION BATES LABELED VAUGHN000001-  
13 VAUGHN003612.

14 28. Attached hereto and marked as Exhibit 27 is a true and correct copy of Exhibit 40  
15 to the deposition of Victor Quintero.

16 29. Attached hereto and marked as Exhibit 28 is a true and correct copy of a  
17 document produced by Defendant in this matter and Bates-stamped TESLA-0000906.  
18

19 30. Attached hereto and marked as Exhibit 29 is a true and correct copy of a  
20 document produced by Defendant in this matter and Bates-stamped TESLA-0001006 through  
21 TESLA-0001009.  
22

23 31. Attached hereto and marked as Exhibit 30 is a true and correct copy of various  
24 excerpts from the deposition of Lamar Patterson.  
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27  
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1           32. Attached hereto and marked as Exhibit 31 is a true and correct copy of  
2 correspondence sent from Defendant's former counsel to Plaintiff's counsel regarding the  
3 deposition of Lamar Patterson, and dated November 15, 2018.

4           33. Attached hereto and marked as Exhibit 32 is a true and correct copy of various  
5 excerpts from the deposition of Tamotsu Kawasaki.

6           34. Attached hereto and marked as Exhibit 33 is a true and correct copy of various  
7 excerpts from the deposition of Michael Wheeler.

8           35. Attached hereto and marked as Exhibit 34 is a true and correct copy of various  
9 excerpts from the deposition of Wayne Jackson.

10           I declare under penalty of perjury under the laws of the United States of America that the  
11 foregoing is true and correct. Executed on April 29, 2020 in Sacramento, California.

12  
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15  
16  
17 DATED: April 29, 2020

By: 

Lawrence A. Organ, Esq.  
Navruz Avloni, Esq.  
J. Bernard Alexander, Esq.  
Cimone A. Nunley, Esq.  
Attorneys for Plaintiff  
OWEN DIAZ